

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Virginia A. Sayegh a/k/a Virginia Tognetti,

Debtor.
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CASE NO.: 23-22166-cgm

CHAPTER 13

Hon. Cecelia G. Morris

ORDER TERMINATING AUTOMATIC STAY BY DEFAULT

Upon the unopposed motion of Select Portfolio Servicing, Inc. (“Movant”) dated July 28, 2023, seeking relief from the automatic stay with respect to the property known as 28 Hillside Avenue, Yonkers, NY 10703 (the “Property”). This Court having considered the evidence presented and the arguments of the parties, and with good cause appearing therefore, it is

ORDERED, that the automatic stay, in effect pursuant to 11 U.S.C. §362(a), is hereby terminated pursuant to 11 U.S.C. §362(d)(1) as to Movant, its agents, assigns or successors in interest, so that Movant, its agents, assigns or successors in interest, may take any and all action under applicable state law to exercise its remedies against the Property, including but not limited to foreclosure, eviction, loss mitigation, short sale and/or deed in lieu and property preservation, and it is further

ORDERED, that the Chapter 13 Trustee shall be served with a copy of the referee’s report of sale within thirty (30) days of the report (if applicable), and shall be noticed with any surplus monies realized from the sale of the Property, and it is further

ORDERED, that the Chapter 13 Trustee shall not make any further payments on the proof of claim filed by Movant, and it is further

ORDERED, that unless specifically provided in loan documents signed by the debtor, Movant may not collect fees, expenses or other charges associated with a current or subsequent mortgage servicer.

Dated: September 6, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge